

THE FEDERAL JUDICIARY EMERGENCY SPECIAL SESSIONS ACT OF 2005

Mr. CORNYN. Mr. President, I rise today as an original co-sponsor of the Federal Judiciary Emergency Special Sessions Act of 2005. I want to thank Chairman SPECTER, Ranking Member LEAHY and the other cosponsors for working on this legislation in an expedited fashion to respond to the unprecedented challenges facing the judiciary in Louisiana and Mississippi in the wake of Hurricane Katrina.

We have all witnessed over the past week the heart wrenching agony of those affected and displaced by Hurricane Katrina. An entire city has been devastated and will face an uphill battle to repair and replace the homes, buildings, and commerce that are so vital to New Orleans. Areas in Mississippi face similar challenges. I join all Americans in keeping those affected by this tragedy in our thoughts and prayers during these difficult times.

In times like these, the generosity of ordinary Americans emerges and shines bright. Once everyday working men and women learned of the plight of their Louisiana neighbors they set their lives on hold and committed themselves to helping those who are less fortunate. I have heard reports of citizens and churches from across the country organizing fundraising drives, collecting basic necessities for evacuees, and even renting U-Haul trucks to deliver those supplies to the needy.

I am especially proud of my friends and fellow citizens from Texas. Texas has opened its arms, as my State is known to do, and has taken in as many evacuees as it can handle. The Astro-dome has virtually become a satellite city of New Orleans evacuees. Additionally, Texas residents have opened their homes to take in evacuees to provide some semblance of a normal life during their displacement.

Congress too will have responsibility. Last week the Congress passed an emergency relief bill to provide some immediate assistance to the area. And today, with this bill, the Congress continues to identify discreet, but critical areas, that are affected by the hurricane. And one of the areas that needs to be addressed is how the judiciary,

from the prestigious Fifth Circuit Court of Appeals to the Federal district courts, bankruptcy courts and magistrate courts will function during this difficult time.

Our democracy depends on a functioning judiciary. The dedication of the men and women of the judiciary—from the trial courts to the appellate courts—who daily preside over important and difficult issues is essential to our democracy. Current law requires Federal courts to conduct business in a few select locations. This legislation makes sure that a Federal court, unable to hold proceedings in its normal location because of emergency circumstances, may hold court in another area.

It is important that as the rebuilding begins in New Orleans and other affected areas that our judicial system be open to anyone who may need its assistance. This legislation makes sure that the doors to the courthouse remain open even during catastrophic events.

I hope that the Senate and the House pass this legislation immediately and send it to the President as soon as possible.

I yield the floor.

WATER RESOURCES DEVELOPMENT ACT

Mr. INHOFE. Mr. President, section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. At the time of filing of the report, the statement was unavailable. The statement has since been received by the committee. I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 728, Water Resources Development Act of 2005, As reported by the Senate Committee on Environment and Public Works on April 26, 2005

Summary

S. 728 would authorize the Army Corps of Engineers (Corps) to conduct water resource studies and undertake specified projects and

programs for flood control, inland navigation, shoreline protection, and environmental restoration. The bill would authorize the agency to conduct studies on water resource needs, to complete feasibility studies for specified projects, and to convey ownership of certain Federal properties. Finally, the bill would extend, terminate, or modify existing authorizations for various water projects and would authorize new programs to develop water resources and protect the environment.

Assuming appropriation of the necessary amounts, including adjustments for increases in anticipated inflation, CBO estimates that implementing S. 728 would cost about \$4.1 billion over the 2006–2010 period and an additional \$7.6 billion over the 10 years after 2010. (Some construction costs and operations and maintenance would continue or occur after this period.)

S. 728 would allow the Corps to spend any proceeds that it collects from grazing fees, shoreline management permit fees, municipal and industrial water supply fees, recreational fees, and leases. In addition, the bill would allow the Federal Government's power marketing administrations (PMAs) to use proceeds from power sales to fund Corps expenses related to hydropower. S. 728 also would convey parcels of land to various non-Federal entities and would forgive the obligation of some local government agencies to pay certain project costs. Finally, the bill would allow the Corps to collect and spend fees collected for training courses and permit processing. CBO estimates that enacting those provisions would increase direct spending by \$212 million in 2006, \$1.1 billion over the 2006–2010 period, and \$2.3 billion over the 2006–2015 period. Pursuant to section 407 of H. Con. Res. 95 (the Concurrent Resolution on the Budget, Fiscal Year 2006), CBO estimates that enacting S. 728 would cause an increase in direct spending greater than \$5 billion in the 10-year period beginning in 2046. Enacting the bill would not affect revenues.

S. 728 contains no intergovernmental or private-sector mandates as defined in UMRA. Federal participation in water resources projects and programs authorized by this bill would benefit State, local, and tribal governments, and any costs to those governments to comply with the conditions of this Federal assistance would be incurred voluntarily. The bill also would benefit those governments by authorizing additional funds or reducing matching requirements for some specific projects.

Estimated Cost to the Federal Government

The estimated budgetary impact of S. 728 is shown in the following table. The costs of this legislation fall within budget functions 300 (natural resources and the environment) and 270 (energy).

TABLE 1. ESTIMATED BUDGETARY IMPACT OF S. 728 OVER THE 2006–2010 PERIOD

[By fiscal year, in millions of dollars]

	2006	2007	2008	2009	2010
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	902	864	861	857	884
Estimated Outlays	632	866	853	849	867
CHANGES IN DIRECT SPENDING					
Estimated Budget Authority	232	222	224	219	227
Estimated Outlays	212	218	223	219	227

Basics of Estimate

For this estimate, CBO assumes that S. 728 will be enacted near the beginning of fiscal year 2006 and that the necessary amounts will be appropriated for each fiscal year.

SPENDING SUBJECT TO APPROPRIATION

S. 728 would authorize new projects related to environmental restoration, shoreline pro-

tection, and navigation. This bill also would modify many existing Corps projects and programs by increasing the amounts authorized to be appropriated to construct or maintain them or by increasing the Federal share of project costs. Assuming appropriation of the necessary funds, CBO estimates that implementing this bill would cost \$4.1 billion

over the 2006–2010 period and an additional \$7.6 billion over the 10 years after 2010. For ongoing construction costs of previously authorized projects, the Corps received a 2005 appropriation of about \$1.8 billion, including funds from the Inland Waterway Trust Fund.

For new water projects specified in the bill, the Corps provided CBO with estimates